



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: McGuire et al
Serial No.: 10/714,370
Title: IMPROVED FLAME RETARDANT
NONWOVENS
Filing Date: 11/14/2003
Examiner: Not Assigned Yet
Art Unit: Not Assigned Yet

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the documents listed on the attached Form PTO/SB/08A are being brought to the attention of the Examiner in charge of the above-referenced Application.

The Examiner is respectfully requested to initial the space adjacent to the listing of each document on Form PTO/SB/08A, and return a copy of the initialed Form PTO/SB/08A with the next communication to Applicant, to confirm that these documents have been considered by the Examiner and made of record in this Application.

The below-referenced information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §§1.104(a) and 1.104(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this Application, and that the references be made of record therein and appear among the "References Cited" on any patent that issues therefrom.

This paper is being submitted in accordance with:

- ☒ 37 C.F.R. § 1.97(b):
 - ☐ With the application;
 - ☒ Within 3 months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d);
 - ☐ Within 3 months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application;
 - ☐ Before the mailing of a First Office Action on the merits; or
 - ☐ Before the mailing of a First Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114.
- ☐ 37 C.F.R. § 1.97(c) – after the period specified in 37 C.F.R. § 1.97(b) but before the mailing date of any of a Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in this application, whichever is earlier; and includes:
 - ☐ The required statement made below; or
 - ☐ The **\$180** fee specified in 37 C.F.R. § 1.17(p) for submission of this IDS;
- ☐ 37 C.F.R. § 1.97(d) – after the period specified in 37 C.F.R. § 1.97(c) but on or before payment of the Issue Fee; and includes:
 - ☐ The required statement made below; and
 - ☐ The **\$180** fee specified in 37 C.F.R. § 1.17(p) for submission of this IDS;
- ☐ 37 C.F.R. § 1.97(e) – required statement:
 - ☐ Each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart

foreign application not more than three (3) months prior to the filing of this IDS; or

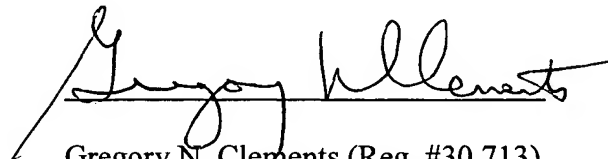
- ☐ No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this IDS.

If the fee of \$0 is incorrect, please charge any additional fees due, or credit any overpayment, to **Deposit Account No. 04-1448**.

If Examiner has any questions or wishes to discuss this Application, Examiner is kindly encouraged to telephone undersigned.

Respectfully submitted,

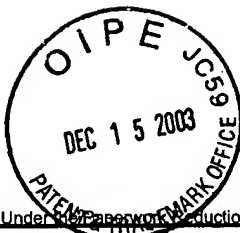
Date: 12/12/03



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Attorney Docket 3788



PTO/SB/21 (08-03)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

166

Application Number

10,714,370

Filing Date

11/14/2003

First Named Inventor

McGuire et al.

Art Unit

Examiner Name

Attorney Docket Number

3788

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | return receipt postcard | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name
Gregory N. Clements
Dougherty, Clements & Hofer

Signature

Date

December 15, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Nancy L. Burns

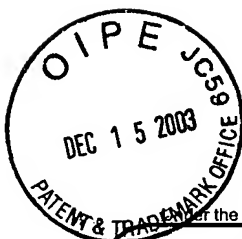
Signature

Date

December 12, 2003

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/714,370		
		Filing Dat	11/14/2003		
		First Named Inventor	McGuire et al.		
		Art Unit			
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	3788

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CALIFORNIA DEPT. OF CONSUMER AFFAIRS, Technical Bulletin 129, Flammability Test Procedure for Mattresses for Use in Public Buildings, October 1992, 31 pps, State of CA,	✓
		CA Dept. OF CONSUMER AFFAIRS, Tech. Bulletin 117, Requirements, Test Procedure & Apparatus for testing the Flame and Smolder Resistance of Upholstered Furniture, 2/2002, 37pp,	✓
		CA DEPT. OF CONSUMER AFFAIRS, Tech. Bulletin 133, Flammability Test Procedure for Seating Furniture for Use in Public Occupancies, 1/1991, 28 pp	✓
		CA DEPT. OF CONSUMER AFFAIRS, Tech. Bulletin 603, Requirements and Test Procedure for Resistance of a Mattress/Box Spring Set to a Large Open Flame, 7/2003, 29 pps	✓
		NATIONAL FIRE PROTECTION ASSOCIATION, Quincy, MA - NFPA 701 - Standard Methods of Fire Tests for Flame Propagation of Textiles and Films, 1999	✓

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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